

**From:** Richard Moose [rmooser@gmail.com]  
**Sent:** Tuesday, January 29, 2008 3:53 PM  
**To:** Darton, Terry  
**Subject:** Air Board hearing record of 1/15/08

Statement of Richard M. Moose

. before in conjunction with the State Air Pollution Control Board

January 25, 2008

( submitted for the record 1/29/08 by email to [thdarton@deq.virginia.gov](mailto:thdarton@deq.virginia.gov))

Those of us who fear the health effects of the Mirant plant feel like squirrels running in a cage designed by the Department of Environmental Quality ( DEQ). Or perhaps like canaries in the mine shaft, waiting to drop dead from poisonous air. .

Scores of us have come forward over the years to plead the case for effective pollution control on Mirant's Potomac River Plant..

Yet time after time the DEQ either fails to act, or comes up with new proposals such as that on the table today, which does not respond to our concerns, would not protect us from PM 2.5 and mercury, and which fails in many ways –detailed by the City of Alexandria and other witnesses - to meet Clean Air standards or the test of "best available technology."

We repeatedly have told the DEQ what we believe is needed, experts have told DEQ what is technologically possible and what other states are doing to protect their citizens, but DEQ invariably comes back with accommodations to Mirant at the expense of citizens' health.

DEQ owes the citizens of this region an explanation of why it refuses to require of Mirant in Virginia what Maryland's government requires of Mirant in that state, or why, after all this time, the Potomac River plant should not be required to meet new plant standards.

DEQ knows full well the intent of Federal and State law and it is their duty to carry it out. DEQ is accountable to the citizens of this region and if DEQ remains unwilling to protect our health, it must tell us why not. The Governor claims that the citizens of this region are asking DEQ to break the law. This is patently untrue; we are asking DEQ to enforce the law

Under the protection of the courts, the Bush administration and DEQ, the Potomac River Station has had an inordinately long run as a 'grand fathered" facility. DEQ is not bound by law to protect Mirant; its primary responsibility is to protect the citizens of Northern Virginia from their practices. . If DEQ is unsure of the law, it must interpret the law in favor of the community's health.

Thank you.

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